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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Matthew John Baker

Application No.

09/736,632

Attorney Docket No.

0380-P02470US1

Filed:

December 14, 2000

For:

ISOLATION OF NUCLEIC ACIDS

Examiner:

William O. Sandals, Ph.D.

Group Art Unit:

1636

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CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)

I hereby certify that this Correspondence is being deposited on the date identified below with the United States Postal Service as first-class mail in an envelope properly addressed to ASSISTANT COMMISSIONER FOR PATENTS, Washington, D.C. 20231.

29 August 2002
Date of Certificate

Patrick J. Hagan
Patrick J. Hagan

Assistant Commissioner for Patents
Washington, D.C. 20231

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97**

In compliance with the duty of disclosure set forth in 37 C.F.R. § 1.56, Applicant submits herewith a Form PTO-1449 listing the references which the Examiner is respectfully requested to consider and make of record in this application. Copies of the listed references are submitted herewith, with the exception of A1 through A13 and A18, A21, A22, A26, A27; B1 through B21 and C1 through C7. Copies of the last-mentioned references are not provided, as the information was previously cited by and/or submitted to the Patent and Trademark Office in an Information Disclosure Statement in Applicant's parent application, U.S. Application 09/586,009, filed June 2, 2000 which is relied on for an earlier filing date under 35 U.S.C. §120, and the Information Disclosure Statement submitted in the earlier application complies with 37 C.F.R. §1.98(a)-(c).

This Information Disclosure Statement is being filed more than three months after the filing date of this application, and after receipt of the first Official Action on the merits, but before receipt of a Final Official Action or a Notice of Allowance. Accordingly, the fee required under 37 C.F.R. 1.97(c) is to be charged to Deposit Account No. 04-1406 of Dann, Dorfman, Herrell & Skillman. A duplicate copy of the Fee Transmittal is enclosed for this purpose.

It is noted that reference B21 is not in the English language. The relevance of this reference is as follows:

WO 99/22021 relates to techniques for immobilizing nucleic acids on membranes. Samples are applied to one surface of the membrane, and contaminants and wash buffers are drawn through the membrane (e.g. by vacuum, or centrifugation). Subsequently, the bound nucleic acids are eluted by applying an elution buffer or water to the membrane and the eluate is removed from the same side of the membrane, rather than drawing the eluate through the membrane. pH changes are not used to alter the characteristics of the membranes.

In the opinion of the undersigned, the references submitted herewith are the most pertinent of which the undersigned is aware. However, no representation is made or intended that more pertinent references do not exist.

This submission is not an admission that the references listed on the attached Form PTO-1449 constitute prior art against the claims of this application.

The Examiner is respectfully requested to confirm receipt and consideration of the cited references by initialing and returning a copy of the attached Form PTO-1449 in accordance with MPEP §609.

Early and favorable consideration of this application is respectfully requested.

Respectfully submitted,

DANN, DORFMAN, HERRELL & SKILLMAN
A Professional Corporation
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Enclosures - Form PTO-1449

Copies of references listed on PTO - 1449